

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

**R.A. JR. (a minor child, by and through his
Father and next friend, Richard Lemmel
Arnold,**

Plaintiff,

vs.

**DEPUTY SHERIFF WALTER LACEY,
in his official and individual capacity,**

Defendant.

Case No.: CV-3:06-cv-337-WHA

NOTICE OF PROCEEDING

COMES NOW the Defendant, Walter Lacy, by and through his attorney of record, and hereby gives notice to the Attorney General of the State of Alabama pursuant to Section 6-6-227 of the Code of Alabama, 1975, of his challenge to the constitutionality of the recovery of punitive and discretionary damages in this action. A copy of the Plaintiff's Complaint filed in the above styled matter and the Answer thereto filed by this Defendant is attached hereto.

/s/ C. Winston Sheehan, Jr.

C. WINSTON SHEEHAN, JR.

Attorney for the Defendant, Walter Lacey

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on August 2, 2006, I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system which will send notification of such filing to the following registered persons and that those persons not registered with the CM/ECF system were served by U.S. mail:

Hon. Arlene M. Richardson
Richardson Legal Center, LLC
Post Office Box 971
Hayneville, AL 36040-0971

/s/ C. Winston Sheehan, Jr.
OF COUNSEL